

**AMENDMENTS TO THE DRAWINGS**

The attached "Replacement Sheets" of drawings include changes to Figures 1, 3, 22, 30 and 40. The attached "Replacement Sheets," which include Figures 1, 3, 22, 24, 29, 30, 40 and 41, replace sheets 1, 3, 13, 18, and 23 of the original sheets of drawings.

Attachment: Replacement Sheet(s)

## REMARKS

Claims 52-62 are pending in the application. The drawings, specification and Claims 57, 59, 61 and 62 have been amended. Bases for the amendments may be found throughout the written description, drawings, and claims as originally filed and as such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

## DRAWINGS

The drawings stand objected to for certain informalities. Applicant has attached revised drawings for the Examiner's approval. In the "Replacement Sheets" reference numerals 10, 10b, 504, 506 and 508 were added to Figure 1, reference numerals 76a, 518 and 520 were added to Figure 3, reference numeral 1028 was added to Figure 22, reference numeral 700 was added to Figure 30, and reference numeral 488 was added to Figure 40. Applicant submits that bases for the amendments may be found throughout the written description, drawings, and claims as originally filed and as such, no new matter has been presented.

In view of the aforementioned amendments to the drawings, Applicant respectfully submits that the objection to the drawings has been rendered moot.

## SPECIFICATION

The specification stands objected to for certain informalities. Applicant has amended paragraphs [0067] and [0079] of the specification according to the Examiner's suggestions and has amended paragraph [0065] to specifically refer to Figure 3. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

Applicant has also amended paragraphs [0061] and [0097] of the specification. Concerning paragraph [0061], Applicant has amended the last sentence of the paragraph to Serial No. 10/686,506

explicitly recite that the interior of the dirt cup 20 is smooth. Applicant submits that bases for the amendment can be found throughout the application and drawings as originally filed (see, e.g., Figs. 3 - 7 & 9) and as such, the amendment to paragraph [0061] does not add new matter.

Concerning paragraph [0097], Applicant has amended the paragraph to recite that the outlet 500 of the elbow 22 is configured to change a flow path of air exiting the inlet port 54 by an angle of less than 90 degrees. Applicant notes that the portion of the sentence immediately prior to the amendment describes how the outlet 500 of the elbow 22 is configured to direct the dirt and debris laden air flow in a direction to the side and rear of the dirt cup 20 and that this rearwardly and sidewardly orientation of the outlet 500 of the elbow 22 is clearly shown in Figure 8. Accordingly, Applicant submits that bases for the amendment can be found throughout the application and drawings as originally filed so that the amendment to paragraph [0097] does not add new matter.

#### REJECTIONS UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

Claims 55, 56, 60 and 61 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office has stated that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

Concerning Claims 55, 56 and 61, Applicant notes that the dirt cup 20 was illustrated in the drawings to include a substantially smooth interior surface and that one of ordinary skill in the art would have recognized, at the time of the filing of the application, that the application and drawings disclose a dirt cup with a substantially smooth interior surface. As noted above, Applicant has amended paragraph [0061] to explicitly state that the dirt cup Serial No. 10/686,506

includes a substantially smooth interior surface. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of Claims 55, 56 and 61 under 35 U.S.C. §112, first paragraph.

Concerning Claim 60, Applicant notes that the outlet of the elbow was illustrated in the drawings and described in the text of the application as being configured to change a flow path of air exiting the inlet by an angle of less than 90 degrees (i.e., an angle equal to or greater than 90 degrees would not change the direction of the air flow such that it flowed both rearwardly and to the side). Nonetheless, Applicant has amended paragraph [0097] to explicitly state that the outlet 500 of the elbow 22 is configured to change a flow path of air exiting the inlet port 54 by an angle of less than 90 degrees. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of Claim 60 under 35 U.S.C. §112, first paragraph.

#### **REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH**

Claims 57-59 and 61 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully rendered moot.

Applicant notes that Claims 57, 59, 61 and 62 have been amended to consistently refer to an “inlet” element rather than to an “inlet port” element as suggested by the Examiner. Accordingly, reconsideration and withdrawal of the rejection of Claims 57-59 and 61 under 35 U.S.C. §112, second paragraph is respectfully requested.

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Applicants gratefully note the allowance of Claims 52-56 and 60 and the indication of the allowability of Claims 57-59 and 61 in the present application. Applicant notes, however, that Reasons for Allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear [the Examiner's] reasons for allowing a claim or claims." 37 C.F.R. 1.104 (e). In the present case, Applicant believes the record as a whole does make clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted. Furthermore, Applicant does not necessarily agree with each statement in the reasons for allowance. While Applicant believe the claims are allowable, Applicants do not acquiesce that patentability resides solely in the specific feature or combination of features identified, or that each feature or combination of features identified is required for patentability, or that equivalents of any of the recited features are outside the scope of the claims. Moreover, to the extent the Reasons for Allowance do not separately address the subject matter of each claim, Applicant does not acquiesce to any inference that any one claim does not present patentable subject matter independent of any other claim.

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal

communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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